DOCUMENT RESUME

ED 120 623 CG 010 453

TITLE Women in 1974.
INSTITUTION Citizens Advisory Council on the Status of Women, Washington, D.C.
PUB DATE May 75
NOTE 65p.
AVAILABLE FROM Superintendent of Documents, U.S. government Printing Office, Washington, D.C. 20402 (Stock Number 052-003-0093-8, HC $1.20)

EDRS PRICE MF-$0.83 HC-$3.50 Plus Postage
DESCRIPTORS *Civil Rights; Equal Opportunities (Jobs); *Federal Legislation; *Females; Feminism; *Laws; Legislation; Mass Media; Organizations (Groups); *Sex Discrimination; State of the Art Reviews; Status

ABSTRACT

This is a report on the legal, political and social status of women in the year1974. The report includes the laws passed by Congress for equal rights for women, laws for equal pay, amendments that provide for flexible working hours and childbearing leave for women; and some cases of job discrimination against women. Legal amendments to insure equality in education are reviewed. Discrimination in employment as well as inaccurate presentation of women in the news media are discussed, and legislation passed by the 93rd Congress is listed. Finally, a long appendix is included which has a list of women state legislators, women in congress, organizations supporting and opposing the Equal Rights Amendment, and other documents. (SE)

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WOMEN

IN

1974

CITIZENS' ADVISORY COUNCIL ON THE STATUS OF WOMEN
Washington, D. C. 20210

Transmitted to the President, May 1975

U S DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
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CITIZENS' ADVISORY COUNCIL ON THE STATUS OF WOMEN
Washington, D.C. 20210

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WOMEN IN 1974

CITIZENS' ADVISORY COUNCIL ON THE STATUS OF WOMEN

May 1975

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THE WHITE HOUSE

WASHINGTON

January 9, 1975

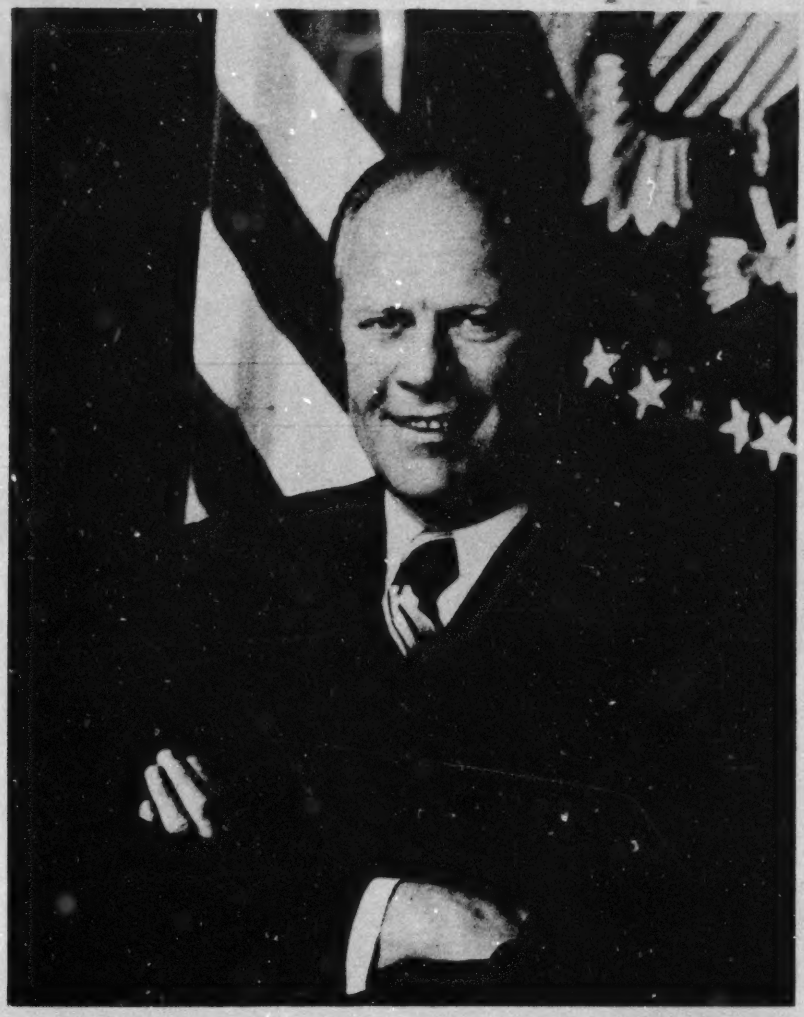
Dear Mrs. Gutwillig:

I am pleased to inform you that I have signed the Executive Order which continues the Citizens' Advisory Council on the Status of Women for 1975-1976.

The Council has made some fine proposals to the Administration on behalf of the status of women. I congratulate you on your publication, "Women." I am confident that the contribution of the Citizens' Advisory Council on the Status of Women in 1975, International Women's Year, and our Bicentennial Year of 1976 will be of great significance.

I look forward to our continuing progress in these next two years.

Gerald R. Ford



....The dramatic advances women have made--in politics, sports, business and science, and other areas of endeavor--are finally receiving the attention they deserve....

....The Equal Rights Amendment, which I wholeheartedly endorse, has not yet been ratified by the number of States necessary to make it a part of the Constitution. Let 1975, International Women's Year, be the year that ERA is ratified.

Gerald R. Ford
Establishing the National Commission on the Observance of International Women's Year, 1975
January 9, 1975

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Citizens' Advisory Council on the Status of Women
Washington, D.C. 20210

The President
The White House
Washington, D. C. 20500

Dear Mr. President:

The Citizens' Advisory Council on the Status of Women is honored to submit to you its annual report for the year 1974.

The Council activities and membership participation have brought personal reward to each member. The rich experience in bringing together people from Government, industry, academia, and the general public has resulted in a quality of understanding, communication and development that the Council members are confident will advance the nationwide thrust toward greater equality for all people.

The Council's continuing programs, recommendations and comments alerting the Federal and State governments and private organizations to inequities in the laws and customs which discriminate against women has in most instances culminated in laws, guidelines and programs correcting the wrongs. Outlined in this report are the details of these and other developments as well as a glimpse of plans and hopes for the future.

We should like to convey to you at this time that women throughout the nation are strongly encouraged that you personally and Mrs. Ford support improved legal status for women and exemplify that true partnership of marriage and family life are our treasured heritage.

Thank you for the opportunity to continue to work with your Administration. In the sharing of the many challenges and achievements under your leadership, we are well-positioned to grow and contribute to the national progress of human rights.

Respectfully submitted,

Jacqueline G. Gutwillig

JACQUELINE G. GUTWILLIG
Chairperson

WOMEN IN 1974

ELECTIVE OFFICE

Advances by women in the political arena highlighted the year 1974. There was a 29.5 percent increase in the State legislatures (from 465 to 603). Three States more than doubled their representation: Georgia from two to nine, Hawaii from four to ten, and New Mexico from two to five. Women still, however, constitute only 8 percent of the State legislatures varying from lows of .7 percent in Alabama, 1.4 percent in Louisiana, and 1.7 percent in California to highs of 24.5 percent in New Hampshire and 20 percent in Arizona. The size of the legislative bodies in each State, and the number and percentage of women members appears in Appendix A, a list compiled by the National Women's Education Fund.

Ella Grasso, the new Governor of Connecticut, is the first woman ever to be elected Governor in her own right, and Mary Anne Krupsak is the first woman elected Lt. Governor in New York. The National Women's Political Caucus reported that "Women newly elected to offices like Secretary of State, State Treasurer, Auditor and Superintendent of Public Instruction show an increase of 36 percent over the last election year." A list of women elected to State-wide office compiled by the Caucus appears in Appendix B.

Although four U.S. Congresswomen, including Martha Griffiths who throughout her tenure worked for women's equality, did not run for re-election, there was a net gain of two in the number of Congresswomen for a total of 18. All incumbents were re-elected plus six very dynamic new members. A list of the Congresswomen appears as Appendix C.

Political Women by Dr. Jeane J. Kirkpatrick, is a detailed report on characteristics of 46 women legislators in 28 States as compared with male legislators. The profile of the woman legislator described in the book is "usually a mature, stable woman whose background and personal style personify the traditional feminine role - even as the fact of her political career shatters the very conventions she represents." Basic Books is the publisher.

Another book published on women in politics, and favorably reviewed, is Clout: Womanpower and Politics, by Susan and Martin Tolchin.

Women on School Boards, a report of the National School Boards Association, examines the numbers, roles and characteristics of women on school boards in the U.S. It is available for $2.50, from the Association, 800 State National Bank Plaza, Evanston, Illinois 60201.

EQUAL RIGHTS AMENDMENT

Ratification Efforts

The elections increased chances of ratification of the Equal Rights Amendment in 1975. A commitment to vote for the ERA was sought from all candidates for the legislatures in the un-ratified States. Many ERA opponents lost to pro-ERA candidates. In addition the very positive support of the President of the United States and the First Lady is very encouraging.

The National Federation of Business and Professional Women's Clubs raised $260,000 from their membership and hired the consulting firm of Bailey, Deardourff & Eyre, Inc., to advise on strategy. The following 10 States were targeted for special attention in the 1975 legislative session: Arizona, Florida, Illinois, Indiana, Missouri, Nevada, North Carolina, North Dakota, Oklahoma, and South Carolina.

A list of organizations supporting the ERA and those opposing appears as Appendix D and Appendix E.

Long Range Results

The coalitions of organizations formed in the various States to support the ERA, in addition to being very effective in educating the public and the legislators, have had many other valuable results. The leadership capacities of many women have been enhanced and given the visibility that enables them to run successfully for elective office. State-wide networks of women activitists have been established based on the kind of close working relationship that comes only from working together in a common cause.

Great future reforms will almost inevitably grow out of these coalitions and communication networks. Already in Ohio and Wisconsin the ratification coalitions have grown into law reform coalitions by different routes. In Ohio, the Attorney General is sponsoring the Ohio Task Force for Implementation of the Equal Rights Amendment. The charge to the Task Force includes responsibility for reform in addition to changes necessary to implement the ERA. The Task Force is holding hearings throughout the State and sponsoring State-wide conferences in order to educate the public and to secure views of the public on various topics.

In Wisconsin, the legislative council of the State legislature, in cooperation with leaders of the drive to secure ratification of the ERA, drafted the minimum

revisions needed to implement the ERA (see Women In 1972, p. 6). This legislation is expected to pass in the 1975 session, inasmuch as the Committee Chairman in the Senate who refused to move the bill to the floor in the 1974 session was defeated and replaced by a woman, the first to sit in the Wisconsin Senate. His record on the ERA and its implementation was an issue in the campaign.

The members of the Wisconsin coalition working for ratification have formed a new legislative council to work for further legislative reforms, including greater protection for the homemaker (see section on Homemakers and the Family).

Thus it appears that real reform in family law may be one of the major results of the debate accompanying the battle for ratification.

The Majority Report of the Senate Judiciary Committee and its importance in predicting the effects of the ERA on State and Federal law have not received the publicity it should to clearly show the intent of Congress (see Women In 1973, p. 3; Women In 1972, p. 3; Women In 1971, p. 51; and Women in 1970, pp. 14 and 17). Too many articles have appeared stating the views of proponents and opponents in such a way that they appear to the public to have equal credibility. Through failure to mention that the claims of the proponents are buttressed by the Majority Report of the Senate Judiciary Committee, the false impression is left that the results predicted by the opponents are as likely as the results predicted by the proponents.

Five States have made major studies of their laws followed by major reforms in redrafting their laws to conform with the ERA, according to the Women's Law Project of Philadelphia, a foundation-funded, non-profit corporation. (This Project gives educational assistance to groups seeking to revise their State laws.) The States, which have made greatest progress in revision of laws are Arizona, Iowa, Kentucky, New Mexico, and Washington. An omnibus bill or a large number of separate bills have been introduced, some of which have passed in six additional States: California, Hawaii, Maryland, Missouri, Tennessee, and Wisconsin. The Women's Law Project plans to prepare model codes in selected areas of the law. Committees are making studies in Alabama, California, Indiana, Maryland, Michigan, Montana, Ohio, and South Dakota.

HOMEMAKERS AND THE FAMILY

The Wisconsin Governor's Commission on the Status of Women held six regional conferences around the State on the subject "Homemaking and the Family: Changing Values and Concerns." The purpose was to look at the real importance and worth of homemaking; to question the many ways in which our society undervalues the homemaking function and all too often the homemaker; to explore some of the economic risks and penalties encountered by the homemaker who has no financial recognition; and finally to examine some of the serious proposals being put forth to solve or at least minimize these economic problems. A report will be published in 1975, which can be secured from the Governor's Commission on the Status of Women, 1 West Wilson Street, Madison, Wisconsin 53702.

In New York and Virginia concern with economic problems of homemakers growing out of research on the ERA has lead to organizational support for reform in family law, including divorce law.

A newsletter on family law was started by the National Task Force on Marriage, Divorce and Family Relations of the National Organization for Women. The newsletter is edited by Betty Berry and the address is: 541 East 20th Street, New York, N.Y. 10010.

"Housewives For ERA," an organization formed in Illinois to secure ratification of the Equal Rights Amendment is planning to turn its attention to reform of family law in Illinois after ratification and is interested in cooperating with other State organizations with similar concerns. The address is: Housewives for ERA, 1108 South Boulevard, Evanston, Illinois 60202.

Two very interesting law review articles on the legal status of marriage appeared in 1974: "Partnership Marriage: The Solution to an Ineffective and Inequitable Law of Support" by Joan M. Krauskopf and Rhonda C. Thomas, available from Ohio State Law Journal, 1659 North High Street, Columbus, Ohio 43210, $3.00 for issue; no reprints; and "Legal Regulation of Marriage: Tradition and Change" by Lenore J. Weitzman, reprints available $2.00 each from California Law Review, University of California at Berkeley, 14 Boalt Hall, Berkeley, Calif. 94720.

The American Bar Association endorsed the Uniform Marriage and Divorce Act without adopting the amendments recommended by the Family Law Section (see Women In 1973, pp. 20 and 64). The Council has revised its paper on this topic to eliminate references to the proposed amendments (see Appendix F).

Title IV of the Social Service Amendments of 1974 set up financial incentives for States to set up more effective programs for assuring child support and establishment of paternity. The programs would be available to not only welfare recipients but any other persons needing assistance in obtaining child support or establishing paternity. Section 459 of Title IV authorizes garnishment of Federal employees salaries and pensions and social security payments, where necessary to enforce alimony and child support awards and permits action in the Federal courts for enforcing such obligations.

The law also requires mothers applying for welfare to agree to cooperate in establishing the parentage of out-of-wedlock children and in finding and collecting support payments from deserting fathers.

Title IV is effective July 1, 1975, except that section 459 (garnishment) is effective January 1, 1975.

EMPLOYMENT

Title VII of the Civil Rights Act of 1964

Of the 55,712 new charges filed with the Equal Employment Opportunity Commission in fiscal year 1974, 18,664 charged sex discrimination. For the first six months of fiscal year 1975 (July 1 to December 31, 1974), there were 31,295 charges with 10,773 charging sex discrimination.

Executive Order 11246

The Labor Department issued proposed new guidelines under Executive Order 11246 (38 F.R. 35336, December 27, 1973). The changes would have brought these guidelines into conformity with those issued by the Equal Employment Opportunity Commission (see Women In 1972, p. 64 and following). On September 9-10 the Labor Department held hearings on the proposed section 60-20.3(c) relating to fringe benefits. The section, which contained alternative wording, reads as follows:

> (c) The employer shall not make any distinction based upon sex in employment opportunities, wage, hours or other conditions of employment. Nor shall the employer make any distinction based upon sex in the granting of fringe benefits, including medical, hospital, accident, life insurance, pension and retirement benefits, profit sharing and bonus plans, credit union benefits, leave and other terms and conditions of employment. Proposed Alternative (A). It shall not be an excuse that the cost to the employer of such benefits is greater with respect to one sex than the other. Proposed Alternative (B). In the area of employer contributions for insurance, pensions, welfare programs and other similar "fringe benefits" the employer will not be considered to have violated these guidelines if his contributions are the same for men and women or if the resulting benefits are equal.

At year's end revised guidelines had not been issued.

The chairperson of the Council wrote the Secretary of Labor with respect to these alternatives on June 27, 1974, (see Appendix G).

Women concerned with eliminating discrimination in education were alarmed by a memo issued to college and university presidents dated December 1974 by the

Director of the Office for Civil Rights of the Department of Health, Education and Welfare. While technically the memo represented no change in policy, university officials, according to reports of university affirmative action officers, had the very definite impression that the Department of Health, Education and Welfare did not intend to vigorously enforce Executive Order 11246.

Earlier in the year Dr. Richard Lester of Princeton University, commissioned by the Carnegie Commission on Higher Education, authored a report attacking affirmative action--Anti-bias Regulations of Universities: Faculty Problems and Their Solutions. This report climaxed a number of objections from leading scholars who apparently quite sincerely believe that academic appointments in the past have been based strictly on merit and that affirmative action required preference for women and minorities who were not as well qualified as white male applicants (see Women In 1972, p. 11).

"Backlash in Academe: A Critique of the Lester Report on Affirmative Action" by Bernice Sandler will appear in the Columbia Record for February 1975.

The Subcommittee on Post-secondary Education of the House Education and Labor Committee held hearings on civil rights obligations of institutions of post secondary education. Proponents and opponents of affirmative action testified. The report of the hearings will be available early in 1975.

Equal Pay

Nearly 33,000 employees were found to have been underpaid by more than $20.6 million under the Equal Pay Act during fiscal year 1974, nearly all of them women, according to "Minimum Wage and Maximum Hours Standards Under the Fair Labor Standards Act."* In addition, almost $7 million was paid to some 7,000 employees of the American Telephone and Telegraph in the second major settlement with the company (see Women In 1973, p. 6).

A number of very significant legal interpretations of the law were made as a result of litigation by the Labor Department:

— The Supreme Court on June 3, 1974, decided its first case under the Equal Pay Act of 1963 (Corning Glass Works v. Brennan, 42 USLW 4827). The issues were (as phrased by Bessie Margolin in 1 Women's Law Reporter 1.13):

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* U.S. Department of Labor, Employment Standards Administration, p. 30.

Did Corning violate the Act by paying night-shift inspectors, performing the same work as female inspectors on the day shifts, a higher base wage in addition to the prescribed plantwide night-shift premium paid to all night-shift employees? If so, was the violation corrected and cured in 1966 when Corning, without raising the lower base wage paid its female day-shift inspectors, permitted women to bid and take night-shift inspection jobs at the same higher wage paid the male inspectors? If the 1966 action did not suffice to remedy the violation, did Corning cure it in 1969 by equalizing the day and night inspector base wages at a rate higher than previously paid night-shift inspectors, but providing a higher "red circle" base wage for existing employees working on the night shift, thereby continuing the previous differential between day and night inspectors?

The Court upheld the Labor Department finding that the company was in violation of the Equal Pay Act and had not cured its violation by the 1966 or 1969 changes.

The violations arose originally because Pennsylvania and New York laws prohibited women from working at night, and the company felt in order to attract men to a "woman's job" they must pay a higher rate, even above the usual night shift premium paid plantwide. The State laws were invalidated by Title VII of the Civil Rights Act of 1964.

It is expected that back pay of a million dollars or more will be awarded.

— One of the first Equal Pay cases instituted on behalf of white collar employees resulted in a decision that a woman English teacher and softball coach was found to be performing work equal to a male history teacher and hardball coach. The court ordered back wages and a future salary increase to the female employee (Woodbridge School District v. Brennan 21 W.H. Cas. 966).

— Another 1974 case of considerable importance was Prince William Hospital Corporation v. Brennan 503 F.2d 282, CA4, 1974, in determining that the jobs of nurses' aides and orderlies at the hospital were equal, the Court of Appeals for the Fourth Circuit outlined a number of tests to be applied to the performance of "extra tasks" claimed by employers to make the jobs of men and women unequal. The court stated that higher pay for male employees cannot be considered to be related to extra duties where one or more of the following situations

exist: some men receive higher pay without doing the extra work; female employees also perform extra duties of equal skill, effort, and responsibility; qualified female employees are not given the opportunity to do the extra work; the supposed extra duties do not in fact exist; the extra tasks consume a minimal amount of time and are of peripheral importance; and third persons who perform the extra tasks as their primary job are paid less than the male employees in question. The Prince William Hospital Corporation has petitioned the Supreme Court for certiorari.

More than 1.5 million domestic service workers were brought under the coverage of the Fair Labor Standards Act by Public Law 93-259, approved April 8, 1974. A rate of $1.90 per hour was effective May 1, 1974. A $2.00 an hour minimum became effective January 1, 1975. The minimum will increase to $2.20 on January 1, 1976, and $2.30 on January 1, 1977.

Coalition of Labor Union Women

On March 23-24, 1974, 3,200 women from 58 unions met and formed the Coalition of Labor Union Women. The conference adopted a statement of purpose including the following:

> The primary purpose of this new national coalition is to unify all union women in a viable organization to determine, first - our common problems and concerns and, second - to develop action programs within the framework of our unions to deal effectively with our objectives. Through unity of purpose, the Coalition of Labor Union Women will seek to accomplish these goals. We recognize that our struggle goes beyond the borders of this nation and seek to link up with our working sisters and brothers throughout the world through concrete action of international workers' solidarity.

Olga Madar, retired vice president of the U.A.W., was elected President. Copies of the statement of purpose with structure and guidelines for organizing chapters may be secured by writing Coalition of Labor Union Women, 8731 East Jefferson Avenue, Detroit, Michigan 48214.

Flexible Hours

The Council considered at its November 8-9, 1974, meeting the bill introduced by Senator Tunney to "institutionalize the practice of providing flexible hours employment opportunities in the Federal Civil Service," (see Women In 1973, p. 8).

After hearing the pros and cons, the Council did not endorse the specific bill but did endorse the concept of sound legislation to provide opportunities for permanent part-time employment nationwide. The Council was pleased to find that the Civil Service Commission is making an extensive study of flexible hours for full-time employees.

Senator Tunney re-introduced his bill in the 94th Congress as S. 792, which was referred to the Post Office and Civil Service Committee. A companion bill, H. R. 2305, was introduced by Congresswoman Burke.

Childbearing Leave

There were a number of lower court decisions upholding the guidelines of the Equal Employment Opportunity Commission on childbearing leave, but the Supreme Court decision in Aiello v. Hansen contained language that implied otherwise (8 FEP 97). Although the case was decided under the equal protection clause of the 14th amendment, the court implied that discrimination because of pregnancy was not discrimination because of sex.

Women's organizations and unions are hopeful that this is not the real meaning of the decision, even though a Federal District Court judge in New York felt constrained by the Supreme Court decision to rule in CWA v. AT&T Long Lines Dept. (8 FEP 529) that the refusal to include disabilities resulting from childbirth under a temporary disability insurance program was not a violation of Title VII. The case is now pending before the Second Circuit Court of Appeals. On the other hand, after the Supreme Court decision in Aiello, the 3rd Circuit Court of Appeals upheld the EEOC guidelines in Wetzel v. Liberty Mutual Insurance Co. (9 FEP 209). Earlier in Gilbert v. General Electric, the guidelines were upheld and the women plaintiffs awarded back pay in District Court (7 FEP 796). The case has been appealed to the 4th Circuit. The 6th Circuit Court of Appeals upheld the EEOC guidelines in Farkas v. Southwestern City School District (8 FEP 288).

Monthly Labor Review Articles

The Monthly Labor Review for May 1974 with a number of articles on the theme "Women in the Workplace" is an essential reference for those concerned with women's employment. The October 1974 Monthly Labor Review has an article on "Women's Participation in Labor Organizations" and one on "Labor Market Experience of College Graduates" with data including earnings, by sex for 1972 graduates. Women earned less than men in all categories. Copies may be secured from the U.S. Government Printing Office, Washington, D.C. 20402 for $1.40 each.

Comprehensive Employment and Training Act

The Comprehensive Employment and Training Act of 1973 (87 Stat. 839) shifted the responsibility for planning and operating manpower programs from the Federal government to State and local governments by means of special revenue sharing programs.

Section 612 (a) prohibits discrimination and reads as follows:

> No person in the United States shall on the ground of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this Act.

The Secretary of Labor is responsible for enforcing this and other provisions of the Act.

Regulations under the Act were issued by the Secretary of Labor on March 19, 1974, and amended on June 4, 1974. As a result of requests from women's organizations and the Women's Bureau, Sec. 95.13 (c) (3) providing for representation of various groups on the Manpower Planning Councils required of prime sponsors of manpower program, was amended to state that women should be considered for membership. Section 95.13 (a) (2) (iii) providing for State councils was amended in the same fashion.

Section 96.30 of the regulations lists special target population including veterans, welfare recipients, and former manpower trainees. The Interstate Association of Commissions on the Status of Women recommended that women heads of families be included in view of their very disadvantaged economic status, but this request was not heeded.

EDUCATION

Title IX of the Education Amendments of 1972

The long awaited proposed regulations for implementing Title IX of the Education Amendments of 1972 (20 U.S.C. 1681) were published by the Secretary of Health, Education and Welfare on June 20, 1974, (39 F.R. 22228). The most controversial issues related to athletics, fringe benefits, childbirth leave, rights of complainants, admission to private undergraduate professional schools, and effects on use of educational facilities by fraternities and sororities and youth organizations segregated by sex. A number of the issues were discussed in the Congress and a provision was passed exempting from the law social fraternities and sororities, the YMCA, YWCA, Girl Scouts, Boy Scouts, Campfire Girls, and any other single sex volunteer youth service organization whose membership is mostly under age 19 and which is tax exempt under section 501(a) of the Internal Revenue Code (Bayh Amendment, Sec. 3, P.L. 93-568). The Congress also passed a law requiring that the regulations, when approved by the President, be submitted to the Congress (Education Amendments of 1974 (Sec. 509(a)(2) P.L. 93-380).

At year's end the regulations had not been finalized and therefore were not submitted to the President.

Women's Education Equity Act

The Women's Education Equity Act was passed by the Congress and signed by the President August 21, 1974 (Title IV P. L. 93-380). The bill was described in Women In 1973, p. 12. The President's budget for fiscal year 1976 included a request for $6,270,000 to fund the program.

Admission to Institutions of Higher Education

The National Center for Education Statistics reported that enrollments for higher education in the fall of 1974 increased by a greater percentage than earlier predicted and that the increase for women was particularly marked. In the publicly controlled institutions there were 4.3 percent more women enrolled fulltime than in 1973 and 1.9 percent more men. In the privately controlled institutions there were 3.4 percent more women than in 1973 as contrasted with 1.5 percent more men. The percentage of fulltime women students in all publicly controlled institutions increased slightly from 42.42 percent in the fall of 1973 to 42.98 percent in the fall of 1974. In the privately controlled institutions the percentage

increased from 41.95 percent in the fall of 1973 to 42.40 percent in the fall of 1974. Tables showing enrollment of students in publicly controlled institutions by sex, by State, by type of institution appears in Appendix H.

Figures for the freshman class by sex were not available but would, no doubt, show a larger increase for women than is reflected in the totals.

The latest data on students enrolled for advanced degrees is for the fall of 1971. Such data is collected annually by the National Center for Education Statistics but for a variety of reasons, according to the Center, there has been a delay in publishing data for later years.

The percentage of women in first year law school classes for the fall of 1974 was 23.7 up from 20.2 in 1972, and 15.7 in 1971. As recently as 1970, women constituted only 10.2 percent.

In the medical schools 22.2 percent of the entering class were women, up from 19.7 percent in 1973. In 1970 only 11.1 percent of the entering class were women.

Data on law school admissions by school and sex are published by the American Bar Association each year under the title Law Schools and Bar Admission Requirements: A review of legal education in the United States - Fall ____. Single copies are available free as long as the supply lasts from Section of Legal Education and Admissions to the Bar, 1155 East Sixtieth Street, Chicago, Ill. 60637.

Data on medical school admissions by school and sex are published in the Journal of Medical Education each year. Fall 1973 information was published in Vol. 226, No. 8 for November 1973, and 1974 data will be published in the January 1975 issue.

Texts

The efforts of organized parents to eliminate sex role stereotyping in school texts had substantial results, according to the Resource Center on Sex Roles in Education (Women In 1973, p. 12). The following publishers warned their authors against types of practices that demean women or girls or ignore their many roles: Holt, Rinehard and Winston; McGraw Hill; Scott Foresman; Science Research Associates; and MacMillan. State departments of education in Michigan, Pennsylvania, North Carolina, Massachusetts, Minnesota, Washington, California, and Hawaii took action to amend text books, as well as the very influential American Association of School Administrators.

CREDIT

Two Federal laws were passed promising substantial improvement in women's credit problems.

The Housing and Community Development Act of 1974, Public Law 93-383, signed August 22, 1974, has two pertinent provisions: Section 808(a) prohibits sex discrimination in Federally related mortgage loans, and requires lenders to consider the combined incomes of two spouses applying for mortgage credit; Section 808(b) amends the Fair Housing Act to include sex, thereby prohibiting discrimination in sale and rental of most housing as well as its financing.*

The more comprehensive law was the Equal Credit Opportunity Act, Public Law 93-495, signed by the President October 28, 1974. It is an amendment to the Consumer Credit Protection Act (15 U.S.C. 1601). It says:

> It shall be unlawful for any creditor to discriminate against any applicant on the basis of sex or marital status with respect to any aspect of a credit transaction.

The law is effective one year from enactment with the Federal Reserve Board required by law to issue implementing regulations within that time. Administrative enforcement is available, as well as individual or class civil action suits with punitive damages.

An annotated bibliography on credit is available from the Center for Women Policy Studies, 2000 P Street, N.W., Suite 508, Washington, D.C. 20036, for $1.00.

The Women's Rights Law Reporter for December 1974 (Vol. 2 Number 2) has an excellent article "Legislative Solutions to Sex Discrimination in Credit: An Apprisal," including information on State and Federal laws. Copies are available for $3.50 from 180 University Avenue, Newark, New Jersey 07102.

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* The enforcement provisions of the Fair Housing Act (Title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3601) are very weak, according to a report of the Civil Rights Commission titled "The Federal Civil Rights Enforcement Effort - 1974: Vol. II - To provide - For Fair Housing," published in December 1974.

MEDIA

Council Recommendation

After discussion of the inaccurate and frequently belittling portrayals of women by the media, the Council recommended at its November meeting that more women with demonstrated commitment to constructive change be appointed to the Corporation for Public Broadcasting, the Federal Communications Commission, and the Federal Trade Commission.

At the time of the Council recommendation and still at year's end there was only one woman member out of 12 incumbents on the Corporation for Public Broadcasting (3 vacancies); six women members of 50 on the Board of Governors of the Public Broadcasting Service; one woman member of six incumbents on the Federal Communications Commission (one vacancy); and one woman of five members of the Federal Trade Commission.

There are no women in top management positions.

Survey by Screen Actors Guild

The Screen Actors Guild made a nationwide survey of 10,000 men and women viewers. The results indicated a majority of viewers wanted a more positive image of women, would like to see women appearing on TV in positions of authority, would like to see more women in leading roles, and felt that the media did not encourage young girls to aspire to a useful and meaningful role in society.

The Screen Actors Guild also monitored for a month representation of women and minorities in prime time programming on three network stations in Los Angeles and found that 71.8 percent of television roles were for men and 28.2 percent for women. The women who were portrayed were much younger on the average than the men. Monitoring the commercials, the Guild found a two to one preponderance of men appearing in the commercials.

Copies of the press releases and the report are available from Screen Actors Guild, 551 Fifth Avenue, New York, New York 10017.

Study by Status of Women Subcommittee, Media Committee, Los Angeles Human Relations Commission

A study of Los Angeles Television coverage of programs of special interest to women, made by the Status of Women Subcommittee of the Media Committee, Los

Angeles Human Relations Commission, was published May 1974 by the Rand Corporation, Santa Monica, California.

Prepared by Trude Forsher, Georgia Jeffries, and Marian P. Winston, the report reveals that women are 63 percent of the television audience in Los Angeles. On adult programs at the six stations from 62 percent to 76 percent of the people shown were men. On the news programs women's rights and interests received less than one percent of the time devoted to news coverage. On children's programs 81 percent of all characters portrayed were men.

Journal of Communications Special Issue

The Spring 1974 issue of the Journal of Communications had as its theme "Women: A Symposium." It contains nine reports on women--role, image, and message. It is published by the Annenberg School of Communications, University of Pennsylvania, 3620 Walnut Street, Philadelphia, Pennsylvania 19174, at $3.00 a copy.

Activity of Women's Organizations

Women's organizations have been active for several years in challenging license renewals, making complaints to local TV and radio stations, and negotiating improvements in employment and programming. A newsletter, Media Report to Women, 3306 Ross Place, N.W., Washington, D.C. 20008, carries items regularly on this and other developments in the media.

The women's organizations represented on the Advisory Council [to the Corporation for Public Broadcasting] of National Organizations have succeeded in getting their proposed definition of women's programming adopted by the Council. This includes honest and overall image of women in all programming, integration of women into all areas of broadcast media, and thorough coverage of issues pertinent to women. The Advisory Council of National Organizations then included on the recommended list of program priorities for experimental-pilot programs to be funded by the Corporation for Public Broadcasting the following item: "Development of women's programming which includes implementation of the ACNO definition." The definition of women's programming, which includes data on public television employees, is available.

Hearings on public broadcasting held on August 6, 1974, by the Subcommittee on Communications of the U.S. Senate Committee on Commerce, include statements from women's organizations. The report of the hearings has been published and is available from the Committee, Washington, D.C. 20510.

Study of Hiring by TV Stations

A study by the Office of Communications of the United Church of Christ revealed that commercial TV stations have increased minority hiring somewhat, but hiring of women has shown almost no increase. Women were 23 percent of fulltime employees in 1973 and 22 percent in 1972. A copy of the report is available from 289 Park Avenue South, New York, N.Y. 10010.

U.S. COMMISSION ON CIVIL RIGHTS

The U.S. Commission on Civil Rights was established by the Civil Rights Act of 1957; its jurisdiction to investigate instances and issues of discrimination on the basis of sex was granted by Congress and the President on October 14, 1972.

During 1974, the Commission published a study of sex and race discrimination in mortgage finance lending practices entitled Mortgage Money: Who Gets It?, as well as a booklet entitled Making Civil Rights Sense Out of Revenue Sharing Dollars, which explains both the process of distribution and expenditure of funds under Revenue Sharing and the anti-discrimination compliance requirements.

The Spring, 1974 issue of the Commission's quarterly Civil Rights Digest, entitled "Sexism and Racism: Feminist Perspectives," is devoted to issues of women's rights. The articles address the interrelationships of sexism and racism from the perspectives of Mexican-American, Puerto Rican, Native American, Black, Asian, and white feminists. The Commission's Guide to Federal Laws Prohibiting Sex Discrimination is currently being reprinted, as is the staff report on Women and Poverty, prepared for the Commission's national hearing on women in poverty, held in Chicago during 1974. The hearing addressed issues of sex and sex-plus-race discrimination in public assistance programs (particularly AFDC), Federal job training programs (including the WIN program), traditional "female" occupations (including household & clerical work), access of women to non-traditional jobs, availability of child care services, social security law and policy and private pension plans.

The Commission's Federal Civil Rights Enforcement Effort Report, which evaluates the Federal Government's efforts to enforce existing anti-sex and race discrimination laws and to end sex and race discrimination within the government itself, is being published serially. Already published are the first four volunes of the report, addressing 1) the regulatory agencies (To Regulate in the Public Interest); 2) agencies with fair housing responsibilities (To Provide...For Fair Housing); 3) agencies concerned with equal educational opportunity (To Ensure Equal Educational Opportunity); and 4) the Office of Revenue Sharing of the Department of the Treasury (To Provide Fiscal Assistance).

The Commission's current and planned program includes numerous studies addressing issues of women's rights, with special attention to the impact of both race and sex discrimination on women of all races/ethnicities. An investigation of the position of women and minorities in American labor unions is near completion, as is a study of female and minority access to government contracting opportunities.

A study of the image and employment of women and minorities in the television industry is currently underway, as is a project designed to develop statistical indicators of social and economic progress of minorities and women.

Individual or bulk copies of all Commission publications may be obtained from the Office of Information and Publications, Room 400, U.S. Commission on Civil Rights, Washington, D.C. 20425 (202--254/6600).

LEGISLATION PASSED BY THE 93rd CONGRESS*

In addition to the legislation mentioned elsewhere in the report, the following laws of special interest to women were enacted.

Foreign Assistance Act (87 Stat. 714)

The Percy Amendment provides that in administering financial assistance particular attention is to be given to "programs, projects and activities which tend to integrate women into the national economies of foreign countries, thus improving their status and assisting the total development effort."

Housing (P. L. 93-385)

The Housing and Community Development Act of 1974, prohibited sex discrimination in carrying out community development programs making Federally-related, mortgage loans, insurance, etc. Lenders are required to consider the combined incomes of husband and wife in extending mortgage credit. The Civil Rights Act of 1968 was also amended by this law to prohibit sex discrimination in financing, sale, or rental of housing or the provision of brokerage services.

Sewall-Belmont House and Clara Barton House (P. L. 93-486)

Sewall-Belmont House, home of the National Woman's Party in Washington, D. C. and Clara Barton House in Maryland were declared national historic sites. Appropriations are authorized for that purpose.

Coast Guard Reserve (87 Stat. 692)

The Women's Reserve of the Coast Guard, which had been a separate branch, was fully integrated into the Coast Guard Reserve by this law, effective December 5, 1973.

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* "Legislation Affecting the Rights of Women Enacted By, or Pending in, the 93rd Congress" by Morrigene Holcomb, Congressional Research Service, Library of Congress, Washington, D. C. has been very useful in preparing this section. Single copies are available free through a Congressperson.

Age Qualifications for Military Enlistment (88 Stat. 173)

The President on May 24, 1974, signed into law Public Law 93-290, which establishes the same minimum age for enlistment for men and women. The bill does not affect educational or test score requirements, which continue to be higher for women.

Naval Sea Cadet Corps (P. L. 93-504)

Public Law 93-504, approved November 29, 1974, amended the legislation to authorize the Naval Sea Cadet Corps to include participation of young women.

Small Business (87 Stat. 132)

The Small Business Act, signed into law January 2, 1974, prohibits discrimination because of sex or marital status in assistance granted by the Small Business Administration.

Women's Equality Day (P. L. 93-392)

This law approved August 22, 1974, designates August 26 of each year as "Women's Equality Day."

Equal Benefits in Workers' Compensation (P. L. 93-416)

Public Law 93-416 amended the Federal Employees' Compensation Act to provide equality of treatment for spouses of Federal employees in case of work-related injury or death.

Little League (P. L. 93-551)

The Congressional charter to the Little League was amended by Public Law 93-551 to make it clear that girls as well as boys can participate in Little League teams.

WOMEN STATE LEGISLATORS
as of January 1975

Total Number State Legislators	7561
Total Number Women State Legislators	610
Total % Women in State Legislatures	8%
Republican Women Legislators	220
Democratic Women Legislators	386
Independent Women Legislators	3*

STATE	SENATE		HOUSE OR ASSEMBLY		Percentage Women in Legislature
	Total Number Senators	Women Senators	Total Number Representatives	Women Representatives	
Alabama	35	0	105	1	.7%
Alaska	20	2	40	7	15.0%
Arizona	30	5	60	13	20.0%
Arkansas	35	0	100	3	2.2%
California	40	0	80	2	1.7%
Colorado	35	3	65	13	16.0%
Connecticut	36	4	151	22	13.9%
Delaware	21	2	41	8	16.1%
Florida	40	1	120	12	8.1%
Georgia	56	1	180	8	3.8%
Hawaii	25	4	51	6	13.1%
Idaho	35	1	70	9	9.5%
Illinois	59	3	177	12	6.3%
Indiana	50	3	100	6	6.0%
Iowa	50	4	100	10	9.3%
Kansas	40	1	125	8	5.4%

* Includes Nebraska Senator elected on non-partisan basis.

STATE	SENATE		HOUSE OR ASSEMBLY		Percentage Women in Legislature
	Total Number Senators	Women Senators	Total Number Representatives	Women Representatives	
Kentucky	38	2	100	3	3.6%
Louisiana	39	0	105	2	1.4%
Maine	33	1	151	23	13.0%
Maryland	43	3	141	16	10.3%
Massachusetts	40	2	240	14	5.7%
Michigan	38	0	110	9	6.1%
Minnesota	67	1	134	7	3.9%
Mississippi	52	1	122	5	3.4%
Missouri	34	1	163	11	6.1%
Montana	50	4	100	10	9.3%
Nebraska(Unicameral)	49	1			2.0%
Nevada	20	3	40	4	11.7%
New Hampshire	24	2	400	102	24.5%
New Jersey	40	3	80	6	7.5%
New Mexico	42	2	70	3	4.5%
New York	60	3	150	6	4.3%
North Carolina	50	2	120	13	8.8%
North Dakota	51	3	102	13	10.5%
Ohio	33	2	99	7	6.8%
Oklahoma	48	1	101	5	4.0%
Oregon	30	3	60	8	12.2%
Pennsylvania	50	1	203	8	3.5%
Rhode Island	50	2	100	7	6.0%
South Carolina	46	0	124	7	4.1%
South Dakota	35	4	70	7	10.5%
Tennessee	33	1	99	4	3.8%
Texas	31	1	150	7	4.4%
Utah	29	0	75	8	7.7%
Vermont	30	1	150	21	12.2%
Virginia	40	0	100	6	4.3%

STATE	SENATE		HOUSE OR ASSEMBLY		Percentage
	Total Number Senators	Women Senators	Total Number Representatives	Women Representatives	Women in Legislature
Washington	49	4	98	14	12.2%
West Virginia	34	1	100	8	6.7%
Wisconsin	33	1	99	9	7.6%
Wyoming	30	1	62	6	7.6%
	1978	91	5583	519	8.06%

Compiled by: National Women's Education Fund
1532 Sixteenth Street, N.W.
Washington, D.C. 20036

APPENDIX B

WOMEN ELECTED TO STATE-WIDE OFFICE ON NOVEMBER 5, 1974

Alabama		
Secretary of State	Agnes Baggett	Democrat
Treasurer	Melba Till Allen	Democrat
Auditor	Bettye Frink	Democrat
Associate Justice, Supreme Ct.	Janie Shores	Democrat
Public Service Commissioner	Juanita McDaniel	Democrat
Arizona		
Superintendent of Public Instruction	Carolyn Warner	Democrat
Arkansas		
Treasurer	Nancy Hall	Democrat
California		
Secretary of State	March Fong	Democrat
Colorado		
Secretary of State	Mary Estill Buchanan	Republican
Connecticut		
Governor	Ella Grasso	Democrat
Secretary of State	Gloria Schaffer	Democrat
Delaware		
Treasurer	Mary Jornlin	Republican
Idaho		
Treasurer	Marjorie Ruth Moon	Democrat
Illinois		
Univ. of Illinois Trustee	Nina Sheperd	Democrat

Indiana		
Auditor	Mary A. Currie	Democrat
Kansas		
Secretary of State	Elwill M. Shanahan	Republican
Treasurer	Joan Finney	Democrat
Maryland		
Court of Special Appeals	Rita C. Davidson	Democrat
Michigan		
State Board of Education	Barbara Roberts	Democrat
Univ. of Mich. Bd. of Regents	Sarah Power	Democrat
Wayne St. Univ. Bd. of Govs.	Mildred Jeffrey	Democrat
Minnesota		
Secretary of State	Joan Growe	Democrat
New Mexico		
Secretary of State	Ernestine D. Evans	Democrat
New York		
Lt. Governor	Mary Ann Krupsak	Democrat
North Carolina		
Chief Justice, Supreme Court	Susie Sharpe	Democrat
Ohio		
Treasurer	Gertrude Donahey	Democrat
South Dakota		
Secretary of State	Lorna Herseth	Democrat
Auditor	Alice Kundert	Republican
Public Utilities Commissioner	Norma Klenkle	

Vermont

Treasurer	Stella Hackel	Democrat

Wyoming

Secretary of State	Thyra Thomson	Republican

Summary: There were 51 major party nominees for state-wide office on the November 5 ballot. 31 were successful. In addition, there are other women who hold state-wide elective office and whose terms did not expire this year. Based on estimated figures, there will be 45 women who hold state-wide elective office

Compiled by the National Women's Political Caucus

WOMEN IN CONGRESS

Bella Abzug	Democrat	New York
Lindy Boggs	Democrat	Louisiana
Shirley Chisholm	Democrat	New York
Yvonne Brathwaite Burke	Democrat	California
Cardiss Collins	Democrat	Illinois
Millicent Fenwick	Republican	New Jersey
Margaret Heckler	Republican	Massachusetts
Marjorie Holt	Republican	Maryland
Elizabeth Holtzman	Democrat	New York
Barbara Jordan	Democrat	Texas
Martha Keys	Democrat	Kansas
Marilyn Lloyd	Democrat	Tennessee
Helen Meyner	Democrat	New Jersey
Patsy Mink	Democrat	Hawaii
Patricia Schroeder	Democrat	Colorado
Virginia Smith	Republican	Nebraska
Gladys Spellman	Democrat	Maryland
Lenore Sullivan	Democrat	Missouri

APPENDIX D

NATIONAL ORGANIZATIONS SUPPORTING THE EQUAL RIGHTS AMENDMENT

AFL-CIO
American Association of Law Libraries
American Association of University Women
American Association of Women Ministers
American Bar Association
American Civil Liberties Union
American Federation of Soroptimist Clubs
American Federation of Teachers (AFL-CIO)
Americans for Democratic Action
American Home Economics Association
American Jewish Congress
American Medical Women's Association
American Newspaper Guild
American Nurses Association
American Psychiatric Association
American Psychological Association
American Public Health Association
American Society for Public Administration
American Society of Women Accountants
American Veterans Committee
American Women In Radio and Television
Association of American Women Dentists
Association of the Bar of the City of New York
B'nai B'rith Women
Catholic Women for the ERA
Church Women United
Citizens' Advisory Council on the Status of Women
Common Cause
Communications Workers of America (AFL-CIO)
Council for Christian Social Action, United Church of Christ
Democratic Party
Ecumenical Task Force on Women and Religion (Catholic Caucus)
Federally Employed Women (FEW)
General Federation of Women's Clubs
Intercollegiate Association of Women Students
International Association of Human Rights Agencies
International Brotherhood of Teamsters

International Union of Electrical, Radio, and Machine Workers (AFL-CIO)
International Union of United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)
Interstate Association of Commissions on the Status of Women
Leadership Conference on Civil Rights
League of American Working Women
League of Women Voters
National Association for the Advancement of Colored People (NAACP)
National Association of Colored Women's Clubs
National Association of Negro Business and Professional Women's Clubs
National Association of Railway Business Women
National Association of Social Workers, Inc.
National Association of Women Deans and Counselors
National Association of Women Lawyers
National Board of the Leadership Conference of Women Religious
National Coalition of American Nuns
National Council of Jewish Women
National Education Association
National Federation of Business and Professional Women's Clubs
National Federation of Republican Women's Clubs
National Organization for Women (NOW)
National Secretaries Association
National Welfare Rights Organization
National Woman's Party
National Women's Political Caucus
Network (A national task force to facilitate the process of political education and action for American religious women and their organizations in a ministry for social justice)
President's Task Force on Women's Rights and Responsibilities
Professional Women's Caucus
Republican Party
St. Joan's Alliance of Catholic Women
United Presbyterian Church
United Steelworkers of America (AFL-CIO)
Unitarian Universalist Association
Unitarian Universalist Women's Federation
U.S. Commission on Civil Rights
U.S. Department of Labor and the Women's Bureau
Women's Christian Temperance Union
Women's Equity Action League (WEAL)
Women In Communications, Inc.
Women's International League for Peace and Freedom
Women's Joint Legislative Committee for Equal Rights
Women United
YWCA in Convention

APPENDIX E

NATIONAL ORGANIZATIONS OPPOSING THE EQUAL RIGHTS AMENDMENT

American Conservative Union

American Women Are Richly Endowed (AWARE)

Communist Party, U.S.A.

Daughters of the American Revolution (DAR)

Humanitarian Opposes the Degrading Our Girls (HOT DOG)

John Birch Society

Ku Klux Klan

League of Housewives (formerly (HOW) Happiness of Womanhood)

Liberty Lobby

National Council of Catholic Women

Rabbinical Alliance of America

Stop ERA

The American Party

Young Americans For Freedom

(List may not be complete)

RECOGNITION OF ECONOMIC CONTRIBUTION OF HOMEMAKERS AND PROTECTION OF CHILDREN IN DIVORCE LAW AND PRACTICE

The Citizens' Advisory Council on the Status of Women, consistent with its conviction that the family unit is the core of our society, views with alarm the growing divorce rate in our country. In addition, since 1933, 45 States have adopted some form of "no fault" divorce without adequate attention to the economic effects on dependent spouses and children and generally without legal recognition of real values of homemaking. These developments require prompt examination of the economic effects of current divorce laws and practice.

THE CITIZENS' ADVISORY COUNCIL ON THE STATUS OF WOMEN, THEREFORE URGENTLY RECOMMENDS THAT STATE, COUNTY, AND CITY COMMISSIONS ON THE STATUS OF WOMEN AND OTHER ORGANIZATIONS CONCERNED WITH THE WELFARE OF CHILDREN AND DEPENDENT SPOUSES ACTIVELY SEEK AMENDMENTS IN STATE DIVORCE LAWS WHERE NECESSARY TO ASSURE THAT THE RIGHTS OF HOMEMAKERS AND CHILDREN ARE GIVEN JUST RECOGNITION.

THE CITIZENS' ADVISORY COUNCIL ON THE STATUS OF WOMEN FURTHER RECOMMENDS THAT STATE LEGISLATURES REVIEW AND REVISE THEIR DIVORCE LAWS ADOPTING AS A MINIMUM THE ECONOMIC PROTECTIONS OF THE UNIFORM MARRIAGE AND DIVORCE ACT.*

To this end, organizations and individuals concerned with the welfare of the family must educate the public and State legislators on:

- Relationship of no fault divorce to economic status of a dependent spouse and children;
- Provisions of Uniform Marriage and Divorce Act, which has been endorsed by the American Bar Association.
- State laws relating to legal separation and divorce, division of property, alimony or maintenance, and child support;
- Judicial and legal practices with respect to division of property, alimony or maintenance, and child support;
- Adequacy of enforcement of alimony or maintenance and child support awards.

NOTE: The Uniform Marriage and Divorce Act is in accord with the Equal Rights Amendment. The provisions are not based on sex but on functions and circumstances. Terms such as party, spouse, homemaker, and spouse having custody of the children are used. A number of existing State laws, including some traditional "fault" laws, e.g., Illinois, are also based on function and circumstance rather than sex.

* National Conference of Commissioners on Uniform State Laws, Uniform Marriage and Divorce Act. Order from National Conference of Commissioners on Uniform State Laws, 1155 East 60th St., Chicago, Illinois 60637.

Purpose

The main objective of this paper is to alert those concerned with the status of women to the economic implications for dependent spouses and children of divorce law revisions that have been made and are being proposed by many States. This paper does not discuss the relative merits of various proposals for changes in grounds for divorce.

Background

In late 1971 the Citizens' Advisory Council on the Status of Women explored available information on rights to support of women and children and concluded that: "The legal obligation to support can generally be enforced only through an action for separation or divorce, and the data available, although scant, indicated that...alimony is granted in only a very small percentage of cases; that fathers, by and large, are contributing less than half the support of the children in divided families; and that alimony and child support awards are very difficult to collect."[1/]

It appears that the supporting or providing spouse (usually the husband) is sometimes willing to make a more generous settlement than a court would allow because he wanted to avoid the publicity of a contested case or he needed the cooperation of the dependent spouse in securing a divorce in States where divorce is allowed only for fault. In other words, where divorce can be granted only for specified derelictions on the part of one spouse or the other, a dependent spouse has some leverage in securing better economic arrangements than the very inadequate arrangements usually made by courts. This leverage may be lost or seriously eroded by legislation providing for "no fault" divorce at the option of one party. "No fault" divorce includes divorce based on "irretrievable breakdown" or incompatibility, or divorce based on a separation of six months or longer.[2/]

The trend toward easier divorce began in 1933 when incompatibility became a ground for divorce in New Mexico. Divorce after a period of separation, introduced shortly thereafter, was permitted in 21 States by 1961.[3/] This trend has been greatly accelerated by the promulgation in 1970 of the Uniform Marriage and Divorce Act[4/] by the National Conference of Commissioners on Uniform State Laws, a body formed in 1892, which is very influential in legal circles and State legislatures.

The Uniform Marriage and Divorce Act proposes that "irretrievable breakdown" be the only ground for divorce. While the sections relating to division of property, maintenance, child support, child custody, and enforcement (hereafter referred to as the economic provisions) strengthen the rights of homemakers and children, most States adopting the "irretrievable breakdown" grounds of the Act have not adopted the economic provisions.

1/ See references at end of paper.

Of the 19 States* adopting "irretrievable breakdown" as the sole or an additional ground for divorce since the Uniform Marriage and Divorce Act was published only five--Colorado, Kentucky, Missouri, Washington, and Arizona--have adopted most of the economic provisions.[2] Colorado is the only State adopting all of the economic sections. None of the States with separation or incompatibility as grounds have adopted the economic sections.[3] Only five States have not adopted some form of "no fault" divorce: Illinois, Massachusetts, Mississippi, Ohio, and South Dakota.[5]

These developments pose great danger to children and homemakers without paid employment (usually wives) and to the public, which pays for welfare and other social costs of destitute members of society.

The Council is not opposed to change in the traditional divorce laws. The collusion, perjury, and inequity attendant upon the "fault" system create disrespect for law and our political system.[4] Furthermore dependent spouses (usually wives) do sometimes secure settlements that are inequitable to the husbands, and dependent wives who want divorces may have to forego even minimum economic protection for their children in order to secure the husband's cooperation in getting the divorce. Most importantly the economic provisions of the traditional divorce laws are not based on a partnership concept of marriage.

The Council, however, does not have the resources to study family law in sufficient depth to take a position on the relative merits of "irretrievable breakdown" and other corrective proposals, such as those permitting divorce after separation of one or two years.[6] Nor does the Council have the resources to study and propose better solutions for those families where income was barely sufficient or not sufficient to maintain the parties while married.

Our objective is to alert those concerned with the status of women to the economic aspects of the various proposals and to call attention to the underlying problem - the lack of value accorded the role of homemaker in our economic structure. We also hope to stimulate further interest in the apparent neglect of children's rights that permits the chief wage earner in a divided family to be assessed less than his or her just share and to actually contribute much less than assessed.

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* The States adopting "irretrievable breakdown" as the only ground are Arizona, Colorado, Florida, Iowa, Kentucky, Missouri (effective Jan. 1, 1974), Michigan, Nebraska, Oregon, and Washington. The following have added "irretrievable breakdown" to other grounds: Alabama, Connecticut, Georgia, Hawaii, Indiana, Maine, Maryland, Montana, and New Hampshire.[5]

Uniform Marriage and Divorce Act*

The Uniform Marriage and Divorce Act[3] provides for divorce without fault if the court finds that the marriage is "irretrievably broken," even if one party disagrees. The court can order a conciliation conference if either party requests it and the court may delay acting on the case for short periods.

While the Uniform Marriage and Divorce Act deprives dependent spouses of the leverage provided by fault divorce, the provisions of sections 306-312 enumerate criteria for achieving greater equity for all parties, including the children.

Alternative sections provide for division of property by the courts when the parties cannot agree. The first alternative directs courts to "equitably apportion" all property owned by either spouse, not just property acquired during marriage. The contribution of a spouse as homemaker is a factor to be considered by the court. It does not include as a factor to be considered the desirability of awarding the family home to the spouse with the children.

The second authorizes courts to divide "community" property "in just proportions" and directs the court to take into account the "contribution of a spouse as homemaker" and the "desirability of awarding the family home or the right to live therein for reasonable periods to the spouse having custody of any children." Community property usually includes property acquired during marriage but excludes property brought to the marriage and property received by gift or inheritance during the marriage.

Courts are authorized to provide maintenance (replacing "alimony") under certain conditions (see Appendix). Factors to be considered in setting the amount and length include:

. . . .

(3) the standard of living established during the marriage;
(4) the duration of the marriage;
(5) the age, and the physical and emotional condition of the spouse seeking maintenance;

. . . .

Factors to be considered in awarding child support include "the standard of living the child would have enjoyed had the marriage not been disolved."

Enforcement procedures are strengthened and authority of courts to modify awards is restricted.

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* See Appendix for more details as to sections of Uniform Marriage and Divorce Act significantly affecting economic aspects of divorce.

Protection of Economic Interests of Dependent Spouse and Children

The available data indicate that the present provisions for dependent spouses and children are generally very inadequate. There is no generally accepted legal theory as to purpose of alimony or reasons for awarding alimony,* and in the common law States no theory for awarding any marital property to a wife who has not made a monetary contribution to its acquisition. The obligation to support a dependent spouse is cited by some as reason for post divorce economic obligations, and others consider that the purpose is to keep the dependent spouse from becoming a public charge.[1] Available data suggests that women and men, legal counsel, and judges operate on these assumptions.[1] Neither assumption provides fair recognition of the economic contributions of a homemaker, and neither reflects a partnership concept of marriage.

The Supreme Courts of some States, however, have in precedent-setting cases, usually when the husband was at fault, allowed wives much more than they would have been entitled to while married and more than needed to stay off welfare. Of course, practically all the cases that get to the Supreme Courts involve families of considerable means.

The division of property, maintenance, child custody, support, and enforcement provisions of the UMDA are a great improvement over the traditional law, The Act recognizes the contribution of the homemaker; implicitly take into account the decreased earning capacity of the homemaker and the need for education and training, and the needs of children; and recognizes the difficulties of collecting maintenance and support and the need to tighten up on modification of support and maintenance orders. However, as pointed out above, most of the States that have adopted the irretrievable breakdown concept have not changed their division of property, alimony, child support, and enforcement provisions.

Whether the laws in Colorado, Kentucky, Missouri, Washington, and Arizona will be adequate remains to be seen. Interpretation of the "Maintenance" provisions will be very important. Achievement of equity will depend largely on the attitudes of domestic relations Judges and other officers of the Courts, who in spite of all the factors they are to consider, have in the last analysis, very great latitude in considering and deciding upon the economic arrangements.

As one authority points out, "Judicial discretion is probably nowhere more intimately connected with human relations, nor is it given freer rein, than in the field of domestic relations. Particularly is this true when applied to the question of alimony. The nature of judicial discretion...is such that the limits of its exercise cannot be fixed by definition..."[7]

The latitude under practically all State law is so great that judges could have been making more equitable arrangements than they have.

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* Some States do not provide for any alimony after divorce--e.g., Pennsylvania and Texas. Indiana provides it only for physically or mentally incapacitated spouses.

The Value of Homemaking

There has been much rhetoric about the value of homemaking and child rearing, but there has not been enough actual recognition or action to give homemaking status, dignity, and security.

The legal structure in the United States is based on a generally held societal assumption that a woman should secure an adequate standard of living through pleasing her husband and through womanly wiles. If the marriage fails, fault may be ascribed to her lack of feminity or skills in being a good wife and mother regardless of the circumstances. One judge is quoted as saying, "Marriage is a woman's business. When the marriage is bankrupt, the woman is bankrupt."[8]

Preservation of the institution of the family depends on making marriage a real partnership and providing greater economic security to the homemaker.

It is very important to get the law changed to recognize explicitly the contribution of the homemaker, and the desirability of awarding the family home to the custodian of the children; to give courts authority to divide property; and to provide better enforcement machinery. It is, however, equally important to educate the public and to change attitudes to give proper recognition to the value of the homemaker.

"Court watching" is one technique for learning what is going on and for sensitizing judges and other court personnel to the legitimate needs of dependent spouses (usually women) and children. It is easy for judges to overemphasize the needs of the chief wage earners (usually husbands) and fail to even think about how the wife and children will live on what is left over after his needs are met. Court watching may reveal that there are not enough judges and staff to give adequate consideration to each case, or that the quality of those appointed or elected needs to be improved.

Need for New Approaches

The Council suggests that those persons or organizations who interest themselves in this subject consider new approaches. The following questions and others should be explored:

1. Are the conditions under which alimony or maintenance is allowed too restrictive?

2. Should a wage earner's equity in an annuity or pension be considered as part of the marital property in dividing property?

3. Should the courts have authority to require the payor of maintenance and/or child support to carry insurance with payee(s) as beneficiaries?

4. Should judges have as much latitude as they now have and as they will continue to have under the UMDA?

5. Would it be desirable to devise standards for the economic arrangements that would make it possible for higher courts to review lower court judgments and assure some uniformity?

6. Should the law provide that marital property should be divided equally except where there was sound reason for a different division?

7. Should it require that the home be awarded the spouse with custody of children unless a different arrangement would be better for the children?

8. Should judges be required to set maintenance and child support so that the custodial spouse of minor children had no lower standard of living than the non-custodial spouse?

9. Should the law prohibit modifications in maintenance and child support arrangements based on remarriage of the spouse making the payments?

10. Should deduction from wages by employers of maintenance and support be automatic rather than at discretion of the court?

11. Should maintenance be reduced if the dependent spouse secures a a job, the earnings from which brings her (or his) net income above that of the spouse providing support?

12. Should maintenance be based on some formula taking into account the number of years spent primarily in homemaking and the income of the providing spouse?

More definitive standards for the economic arrangements would reduce hostility engendered by settlements that are less than the homemaking spouse feels entitled to and more than the providing spouse expected. They would enable a couple to consider divorce with more knowledge of the probable economic results, and some might decide to make another try if they could foresee the difficulties.

Summary of Uniform Marriage and Divorce Act Sections Providing Economic Protection to Dependent Spouses and Children

Sections 302 and 305 provide that the court shall enter a decree of dissolution of marriage "if the court finds that the marriage is irretrievably broken." If there is no disagreement between the parties about the state of the marriage, the court after hearing may find the marriage irretrievably broken, and the Commissioners anticipate that the courts with rare exceptions will so find.

If one of the parties disagrees, the court may make an immediate finding after considering the evidence or may continue the hearing and may suggest to the parties that they seek counseling. A conciliation conference shall be ordered by the court at the request of either party and may be ordered by the court on its own motion.

The only guidelines for the court in making a finding of "irretrievable breakdown" are in section 302 (a) (2), which reads as follows:

. . . .

> the court finds that the marriage is irretrievably broken, if the finding is supported by evidence that (i) the parties have lived separate and apart for a period of more than 180 days next preceding the commencement of the proceeding, or (ii) there is serious marital discord adversely affecting the attitude of one or both of the parties toward the marriage;

. . . .

Section 306 encourages parties to make voluntary agreements as to disposition of property, maintenance, child support and custody, and visitation rights with respect to children. Such agreements will be reviewed and approved by the court unless the provisions relating to disposition of property and maintenance are "unconscionable" or the provisions relating to children "unsatisfactory."

Section 307 of the UMDA has alternate sections - Alternative A would give the court authority to divide "equitably" all the property owned by either spouse, including property brought to the marriage and property inherited or received as a gift.* Alternative A further states "In making apportionment the court shall consider the duration of the marriage, any prior marriage of either party, any antenuptial agreement of the parties, the age, health, station, occupation, amount and sources of income, vocational skills, employability, estate, liabilities, and needs of each of the parties, custodial

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* According to Freed and Foster[5] the following State courts do not have authority to distribute property or have limited authority: Alabama, Florida, Georgia, Maryland, Massachusetts, Mississippi, Montana, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, and Virginia.

provisions, whether the apportionment is in lieu of or in addition to maintenance, and the opportunity of each for future acquisition of capital assets and income. The court shall also consider the contribution or dissipation of each party in the acquisition, preservation, depreciation, or appreciation in value of the respective estates, and as the contribution of a spouse as a homemaker or to the family unit.

There is also a provision that the court may set aside property held by either spouse in a separate fund or trust for the support of minor, incompetent, or dependent children.

Alternative A does not suggest the desirability of awarding the family home to the spouse having custody of the children, an omission that may be of great importance to many families, where the only property owned is the home.

Alternative B gives the court authority to divide "in just proportions" the "community property." "Community property" is a term used in community property States.* It generally includes all property acquired by either party during marriage except that received through inheritance or as a gift. The court is directed to take into account in dividing the property all relevant factors including:

> "(1) contribution of each spouse to acquisition of the marital property, including contribution of a spouse as homemaker;
>
> (2) value of the property set apart to each spouse;
>
> (3) duration of the marriage; and
>
> (4) economic circumstances of each spouse when the division of property is to become effective, including the desirability of awarding the family home or the right to live therein for a reasonable period to the spouse having custody of any children." (emphasis supplied)

Section 308 provides for "maintenance" for either spouse if the spouse lacks sufficient property to provide for his "reasonable needs" and is unable to support himself through "appropriate" employment or is the custodian of a child whose condition makes it appropriate that the custodian not be required to seek employment outside the home. Six factors to be considered by the court in determining the amount and duration of maintenance include the standard of living established during the marriage; the duration of the marriage; and the age, physical, and emotional condition of the spouse seeking maintenance. There are no criteria for interpreting "reasonable needs" or "appropriate employment."

Section 309 authorizes the court to order child support from either or both parents and lists five relevant factors to be considered, including the standard of living the child would have enjoyed had the marriage not been dissolved.

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* Community Property States are: Arizona, California, Idaho, Louisiana, New Mexico, Nevada, Texas, and Washington.

Section 310 authorizes but does not require the court to appoint an attorney as an advocate for the interests of a minor or dependent child.

Section 311 establishes a procedure for payment of support or maintenance orders through a court officer and for enforcement by the appropriate prosecuting attorney. The person to whom support or maintenance is due may also initiate action to collect arrearages.

Section 312 authorizes the court to order the person obligated to pay support or maintenance to make an assignment of a part of his earnings or trust income to the person entitled to receive the payments. Such an assignment can be ordered at the time the award is made before there is any default.

The payor is authorized to deduct from each payment $1.00 as a reimbursement for costs and is forbidden to discharge or discipline an employee as a result of an assignment. This is an important provision particularly for impecunious dependent spouses who have difficulty engaging a lawyer to collect arrearages and difficulty getting the attention of court officers for arrearages that appear small to the court but are important to the dependent spouse and children. Furthermore, this provision would reduce court work and would not be harmful to the reputation of the obligor as attempts to collect arrearages are.

Section 316 provides that a decree ordering maintenance or support can be modified "only as to installments accruing subsequent to the motion for modification and only upon a showing of changed circumstances so substantial and continuing as to make the terms unconscionable." Modification could not be made of maintenance provisions if the original decree so provided. Child support may extend beyond legal emancipation and alimony may extend beyond remarriage and death of either party if the decree so provides or the spouses have so agreed in writing.

NOTE: The original draft included recommendations for revision of the Uniform Marriage and Divorce Act by the Family Law Section of the American Bar Association. Since the American Bar Association has now endorsed the Uniform Marriage and Divorce Act, the references to the recommendations of the Family Law Section have been deleted for purposes of clarity.

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Excerpts from Letter of Chairperson Jacqueline G. Gutwillig to Secretary of Labor re Proposed Revision of Guidelines on Sex Discrimination -June 27, 1974

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While as stated I do not favor the "equal contributions" formula, I would like to raise certain questions about its application under present guidelines and possible future guidelines.

If a principle of "equal contributions" is to be adopted shouldn't (1) an employer adopting it for one fringe benefit be required to apply it to all fringe benefits, and (2) shouldn't the principle be phrased in terms of actual costs of fringe benefits per employee rather than in terms of "employer contributions," which could be contributions to an insurance company that might or might not be established on an actual cost basis?

The Council has been trying for several years to locate data from employers, insurance companies, and insurance associations on actual costs of various fringe benefits for a given company for male and for female employees, and we have been unable to find such data except for cost of compensation during periods of temporary disability. We do have a table on incidence and length of hospitalization for Metropolitan Life Insurance employees, and both the incidence and length are greater for male than for female employees. We checked with Mr. Norbert Smith of the Research Staff who advised us the table included hospitalization for childbirth and other pregnancy-related disabilities. It does not include hospitalization of dependents of employees, and Metropolitan has not assembled such data. If dependents were included, the differences between men and women employees would probably be even greater because of the following factors: (1) women in the labor force have fewer children than women homemakers; therefore, male employees would tend to have more children than female employees, and (2) women in the labor force have fewer hospital days per year than women not in the labor force, according to unpublished data from the Health Interview Survey, 1971, of the National Center for Health Statistics.

There is a strong possibility that if an employer's costs for pensions, workmen's compensation, health insurance, life insurance, and temporary disability insurance were computed on the basis of actual per capita expenditures in behalf of male and in behalf of female employees that the expenditures for female employees would be less than for male employees. In

other words, I believe if we had actual data available on the costs of benefits, it might be to the advantage of women to use an "equal contribution" formula. However, I am willing and I believe other women are willing to share the risks with men, which as I understand it, is the basic principle of insurance.

In the absence of definitive data, I suggest that employers favoring equal contributions be asked in your hearings to furnish information as to actual costs. The following questions could be asked in relation to pensions:

1. Are any actuarial data based on experience with employees covered--not some general population of all men and all women? It may very well be that women employed outside the home long enough to be eligible for a pension may have a life expectancy very close to that of men covered by the same pension plan.

2. How much money contributed by employers on behalf of women and how much on behalf of men goes into the general fund as a result of turnover? Is this money taken into account in figuring costs by sex? Even in a system that provides return of money contributed with interest to employees who leave the service, the employer's contribution stays in; the higher turnover for women in lower grade positions which they tend to occupy means that this factor reduces actual costs for women. It is my understanding that in the Federal government's system, which is completely sex neutral, this factor alone would result in higher pension costs if there were no women in the Federal service.

3. Does the formula used in computing annuities result in higher costs for men? A formula that includes as a factor a block of years with highest salary raises costs for those who have many promotions (generally men) in relation to those with fewer promotions (generally women). Here again, the Federal government's formula giving great weight to the highest three years' service favors the male pattern of employment.

4. Does the discounting of pensions for a survivorship annuity for the spouse take into account the age of the spouse? Since men generally marry younger women and women generally marry older men, survivorship annuities for spouses of females would cost less than annuities for spouses of males.

5. If a benefit is provided for surviving children in the event of death before retirement, is the fact that women employed outside the home

have fewer children than women homemakers taken into account in determining costs?

The use of the Federal government's retirement system as an example is not meant as a criticism, as I think it is an excellent model;* my purpose is simply to point out that there are many factors to be considered in determining actual costs of pensions in addition to actuarial tables for the total population.

In addition to probable lower costs for health insurance and pensions, I suspect that workmen's compensation costs are much lower for women. We can find no Federal or State system that has data by sex, but Public Health Service data shows far fewer on-the-job accidents for women than men.

In summary, I hope if further serious consideration is given to Alternative B, you will require employers urging its use to furnish data on actual costs by sex of all fringe benefits taking into account the factors mentioned above, and others that may be pertinent.

....

* This evaluation relates to the equal contributions - equal benefits aspects of the Federal government's retirement system.

TABLE 1—INCIDENCE OF HOSPITALIZATION, 1972

Admissions per 1,000 Personnel of the Metropolitan Life Insurance Company*

Reason for Hospitalization	Males, all Ages 17-64	Males, 17-24	Males, 25-44	Males, 45-64	Females, all Ages 17-64	Females, 17-24	Females, 25-44	Females, 45-64
Total—All Cases	88.7	59.0	64.1	126.7	76.0	63.1	77.5	85.6
Surgical								
All Procedures	47.1	31.0	34.2	67.2	52.2	43.8	55.5	56.4
General surgery	8.8	9.4	6.4	11.6	12.7	12.8	12.3	13.0
Thoracic surgery	3.8	†	1.6	7.3	1.3	†	(1.2)	2.4
Abdominal surgery	9.1	3.4	6.0	14.5	5.3	4.3	5.5	6.0
Proctologic surgery	5.1	(2.4)	4.1	7.1	1.7	(0.9)	1.7	2.5
Urologic surgery	7.5	(3.0)	5.4	11.2	2.8	2.5	2.7	3.1
Gynecologic surgery	–	–	–	–	17.4	10.3	25.7	15.7
Eye, ear, nose, and throat surgery	5.0	6.1	3.4	6.8	5.6	9.0	2.8	5.3
Neurosurgery	2.4	†	2.0	3.2	1.1	†	(1.0)	1.9
Operations on bones and joints	5.4	5.1	5.4	5.6	4.2	3.1	2.8	6.4
Nonsurgical								
All Causes	41.6	28.0	29.9	59.5	23.8	19.3	22.0	29.2
Diseases of respiratory system	3.9	(2.4)	2.5	6.0	2.1	1.8	2.3	2.0
Diseases of digestive system	7.5	5.4	6.0	9.9	4.3	3.3	4.0	5.5
Diseases of circulatory system	9.6	(2.0)	4.4	18.1	2.4	(0.9)	(1.5)	4.6
Diseases of heart	7.9	†	3.1	15.6	1.3	–	(0.8)	3.0
Diseases of genitourinary system	3.1	(2.7)	2.9	3.4	4.2	4.9	4.3	3.5
Diseases of bones, and other organs of movement	2.1	†	1.4	3.1	1.2	†	1.8	1.6
Neoplasms—total	1.7	†	(0.6)	3.2	2.1	2.0	(1.5)	2.8
Benign	0.8	†	†	1.3	1.4	2.0	(1.5)	(0.8)
Diseases of nervous system	1.3	†	0.8	1.7	(0.4)	–	–	(1.1)
Psychoneuroses and psychoses	1.7	†	1.2	2.5	1.2	(1.6)	(1.0)	(0.9)
Accidental injuries	2.9	4.4	2.9	2.4	1.6	(1.4)	1.8	(1.4)
All other causes	7.8	6.1	7.3	9.0	4.4	3.3	3.8	5.8

*Personnel in the Pacific Coast States and Canada are not included. Cases traced to March 31, 1973.

†Only one to four cases in this category.

Note: Rates in parentheses based on five to nine cases.

TABLE 2—AVERAGE DURATION OF HOSPITALIZATION, 1972

Days per Case, Personnel of the Metropolitan Life Insurance Company*

Reason for Hospitalization	Males, at Ages				Females, at Ages			
	17-64	17-24	25-44	45-64	17-64	17-24	25-44	45-64
Total—All Cases	9.5	7.3	7.9	10.7	9.0	6.3	7.3	12.2
Surgical								
All Procedures	9.4	6.9	8.0	10.7	8.7	6.2	7.2	11.7
General surgery	6.7	8.1	4.7	7.9	7.5	5.4	5.1	11.4
Thoracic surgery	14.9	†	13.3	15.4	14.3	†	(9.4)	17.7
Abdominal surgery	12.3	6.5	10.2	13.7	11.9	10.7	12.0	12.5
Proctologic surgery	7.1	(10.0)	6.7	7.1	6.5	(6.2)	7.2	6.1
Urologic surgery	8.7	(7.0)	5.5	10.7	7.3	8.0	6.4	7.6
Gynecologic surgery	–	–	–	–	6.3	4.2	6.0	8.1
Eye, ear, nose, and throat surgery	4.7	2.6	3.6	5.8	4.4	3.4	4.6	5.7
Neurosurgery	16.3	†	17.3	16.5	28.1	†	(29.5)	24.8
Operations on bones and joints	9.9	8.3	10.6	9.3	18.9	12.5	13.4	23.8
Nonsurgical								
All Causes	9.5	7.6	7.8	10.8	9.8	6.5	7.6	13.2
Diseases of respiratory system	6.9	(3.7)	5.3	8.0	8.2	4.4	9.4	9.8
Diseases of digestive system	6.7	4.5	6.7	7.0	6.7	4.8	6.0	8.1
Diseases of circulatory system	12.7	(12.5)	9.7	13.6	16.0	(18.6)	(15.6)	15.8
Diseases of heart	13.8	†	11.2	14.4	14.3	–	(8.2)	15.9
Diseases of genitourinary system	4.4	(4.0)	3.5	5.6	5.3	4.0	5.3	7.0
Diseases of bones, and other organs of movement	9.2	†	7.9	10.1	11.0	†	7.6	15.4
Neoplasms—total	14.1	†	(10.9)	15.7	14.4	4.7	(4.1)	25.6
Benign	5.0	†	†	5.3	4.7	4.7	(4.1)	(5.8)
Diseases of nervous system	13.8	†	11.6	14.8	(19.9)	–	–	(19.9)
Psychoneuroses and psychoses	25.9	†	28.4	23.0	19.4	(11.4)	(11.0)	(39.7)
Accidental injuries	6.9	4.6	7.4	7.2	8.2	(6.5)	4.7	(14.0)
All other causes	7.3	6.4	6.2	8.5	8.8	8.7	9.5	8.4

*Personnel in the Pacific Coast States and Canada are not included. Cases traced to March 31, 1973.

†Only one to four cases in this category.

Note: Rates in parentheses based on five to nine cases.

Days of Restricted Activity Per Person Per Year
By Labor Force Status, Sex and Age: United States, 1971

Sex and Age	All Persons	Labor Force			Not in Labor Force
		Total	Currently Employed	Unemployed	
Male					
17 - 64 Years	13.9	11.1	9.5	36.9	34.5
17 - 44 Years	10.6	9.5	8.4	24.5	18.6
17 - 24 Years	9.1	8.4	7.7	12.8	11.3
25 - 44 Years	11.5	10.1	8.7	41.7	38.7
45 - 64 Years	19.8	13.9	11.3	74.3	63.1
Female					
17 - 64 Years	16.8	13.4	12.1	27.3	20.3
17 - 44 Years	13.8	12.3	11.3	21.5	15.3
17 - 24 Years	11.6	10.3	9.8	13.1	13.3
25 - 44 Years	15.0	13.7	12.2	30.9	16.3
45 - 64 Years	22.2	15.3	13.4	44.9	28.9

Number of Short-stay Hospital Days for Hospital Episodes
Per 100 Persons Per Year by Labor Force Status, Sex and Age:
United States, 1971

Male					
17 - 64 Years	105.0	79.1	70.8	212.9	295.7
17 - 44 Years	71.7	60.1	52.6	161.4	157.6
17 - 24 Years	62.6	53.7	43.2	123.2	90.1
25 - 44 Years	76.9	62.9	56.5	217.9	344.7
45 - 64 Years	164.9	113.4	102.5	367.0	542.7
Female					
17 - 64 Years	125.3	96.2	87.2	193.8	155.1
17 - 44 Years	118.6	91.5	83.7	162.2	147.2
17 - 24 Years	101.9	74.1	69.8	102.8	136.8
25 - 44 Years	128.4	103.1	92.5	228.2	152.5
45 - 64 Years	137.2	105.0	93.2	290.1	168.7

Source: Unpublished data from the Health Interview Survey, National Center for Health Statistics.

Data are based on household interviews of the civilian, noninstutional population.

Days of Bed Disability Per Person Per Year
By Labor Force Status, Sex and Age:
United States, 1971

Sex and Age	All Persons	Labor Force			Not in Labor Force
		Total	Currently Employed	Unemployed	
Male					
17 - 64 Years	4.8	3.7	3.2	12.2	12.9
17 - 44 Years	3.7	3.4	3.0	8.4	6.0
17 - 24 Years	3.6	3.2	3.0	5.0	4.5
25 - 44 Years	3.8	3.5	3.1	13.5	10.2
45 - 64 Years	6.8	4.2	3.4	23.4	25.3
Female					
17 - 64 Years	6.5	5.1	4.6	10.7	8.0
17 - 44 Years	5.7	5.1	4.6	9.8	6.3
17 - 24 Years	5.4	4.6	4.3	6.4	6.5
25 - 44 Years	5.9	5.5	4.8	13.6	6.2
45 - 64 Years	8.0	5.1	4.5	13.4	11.0

Source: Unpublished data from the Health Interview Survey, National Center for Health Statistics.

Data are based on household interviews of the civilian, noninstitutional population.

OPENING FALL ENROLLMENT OF FULL TIME STUDENTS IN PUBLICLY CONTROLLED INSTITUTIONS OF HIGHER EDUCATION, FALL 1974, BY SEX, BY STATE

	Universities			Other 4-Year Institutions			Two-Year Institutions		
	Total	Women	% Women	Total	Women	% Women	Total	Women	% Women
Alabama	26,913	10,849	40.3	33,524	15,445	46.1	22,005	7,577	34.4
Alaska	2,056	903	43.9	362	185	51.0	1,648	820	49.7
Arizona	51,413	22,098	42.9	8,354	3,803	45.5	23,620	8,593	36.4
Arkansas	9,285	3,539	38.1	22,884	10,525	46.0	2,221	987	44.4
California	48,547	18,699	38.5	231,140	101,758	44.0	333,033	132,687	39.8
Colorado	34,703	14,242	41.0	37,813	16,398	43.4	15,427	5,610	36.4
Connecticut	15,434	6,907	44.7	20,507	11,177	54.5	15,890	6,289	39.6
Delaware	12,588	6,141	48.7	1,687	778	46.1	2,517	1,131	44.9
D.C.				4,848	2,301	47.5	2,563	849	33.1
Florida	43,462	18,725	43.1	33,384	13,599	40.7	72,843	31,934	43.8
Georgia	18,486	8,279	44.4	48,821	21,193	43.4	17,992	7,512	41.8
Hawaii	17,183	8,182	47.6	1,385	642	46.4	10,300	4,226	41.0
Idaho	6,174	1,883	30.5	11,072	4,277	38.6	1,914	727	38.0
Illinois	63,806	26,934	42.2	74,261	34,945	47.1	74,167	33,347	45.0
Indiana	71,329	30,595	42.9	21,709	9,623	44.3	5,448	1,875	34.4
Iowa	35,603	14,096	39.6	7,159	3,693	51.6	19,083	7,436	39.0
Kansas	38,735	15,837	40.9	15,320	6,461	42.2	14,250	5,726	40.2
Kentucky	24,297	9,342	38.4	32,313	15,080	46.7	7,596	3,706	48.8
Louisiana	19,816	7,950	40.1	63,060	29,013	46.0	5,495	1,731	31.5
Maine	8,678	3,388	39.0	7,907	3,876	49.0	2,153	607	28.2
Maryland	26,976	12,095	44.8	33,246	16,951	51.0	24,235	10,443	43.1
Massachusetts	21,829	9,292	42.6	47,879	24,450	51.1	28,016	13,712	48.9
Michigan	87,929	37,325	42.4	76,540	33,770	44.1	54,556	23,976	43.9
Minnesota	36,626	14,030	38.3	35,411	15,686	44.3	16,305	7,025	43.1
Mississippi	16,036	5,798	36.1	22,291	12,129	54.4	21,611	9,928	45.9
Missouri	20,274	8,317	41.0	53,227	22,263	41.8	18,790	7,547	40.2
Montana	16,056	6,525	40.6	4,451	2,048	46.0	1,246	562	45.1

	Universities			Other 4-Year Institutions			Two-Year Institutions		
	Total	Women	% Women	Total	Women	% Women	Total	Women	% Women
Nebraska	16,189	6,315	39.0	14,892	6,245	41.9	5,553	2,125	38.3
Nevada	5,473	2,167	39.6	3,852	1,554	40.3	3,651	1,327	36.3
New Hampshire	9,864	4,384	44.4	4,813	2,638	54.8	2,076	651	31.4
New Jersey	19,801	9,031	45.6	61,254	30,386	49.6	34,312	16,371	47.7
New Mexico	22,612	9,050	40.0	6,623	2,729	41.2	2,579	970	37.6
New York	26,287	11,003	41.9	181,283	90,458	49.9	135,382	62,501	46.2
North Carolina	29,721	10,047	33.8	49,969	26,408	52.8	40,524	15,054	37.1
North Dakota	12,742	5,282	41.5	4,166	2,185	52.4	5,662	2,042	36.1
Ohio	139,594	59,585	42.7	26,772	10,705	40.0	36,526	16,546	45.3
Oklahoma	31,385	11,847	37.7	27,431	11,678	42.6	14,514	5,239	36.1
Oregon	29,092	11,518	39.6	19,883	8,768	44.1	24,734	9,737	39.4
Pennsylvania	62,015	24,387	39.3	69,118	36,307	52.5	47,915	18,268	38.1
Rhode Island	9,600	4,304	44.8	4,101	2,775	67.7	3,787	1,825	48.2
South Carolina	24,629	9,225	37.5	14,131	6,944	49.1	20,487	7,143	34.9
South Dakota	10,184	4,102	40.3	6,285	2,394	38.1	-	-	-
Tennessee	21,393	8,662	40.5	48,095	21,237	44.2	11,441	4,298	37.6
Texas	109,841	44,168	40.2	99,573	43,741	43.9	89,179	34,782	39.0
Utah	24,959	9,060	36.3	7,010	2,619	37.4	6,710	2,338	34.8
Vermont	7,812	3,973	51.0	3,175	1,596	50.3	578	85	14.7
Virginia	37,788	13,983	37.0	40,586	22,899	56.4	25,641	9,954	38.8
Washington	42,724	17,293	40.5	21,183	10,007	47.2	50,474	20,636	40.9
West Virginia	15,236	5,706	37.4	21,103	9,234	43.8	3,238	1,580	48.8
Wisconsin	31,191	12,704	40.7	68,302	30,911	45.3	30,344	12,560	41.4
Wyoming	7,173	2,719	37.9	-	-	-	3,568	1,642	46.0
50 States & D.C.	1,521,539	622,486	40.9	1,754,138	816,470	46.5	1,413,799	584,423	41.3

COUNCIL RECOMMENDATIONS IN 1974

Meeting of May 10-11, 1974

International Women's Year

The Citizens' Advisory Council on the Status of Women expresses its appreciation to the President for the Presidential Proclamation designating 1975 as International Women's Year and urges that a secretariat similar to that provided for World Population Year be established.

The Council further recommends that commissions on the status of women and non-governmental organizations concerned with the status of women relate their programs for 1975 to the Year's theme of equality, development, and peace and to an increase of understanding of foreign policy issues.

Little League Congressional Charter

The Citizens' Advisory Council on the Status of Women in its concern for the athletic development of young girls and the development of sportsmanship and a sense of fair play among the boys, believes that girls should be accepted to play baseball on Little Leagues and other community leagues.

The Citizens' Advisory Council on the Status of Women, therefore, recommends that the Congressional Charter for the Little League (P. L. 88-378) be amended by Congress in line with the proposed bill H. R. 8864, 92nd Congress, 1st Session.

Use of Woman's Own Name

The Federal Government in general is to be commended for its policies which generally permit women employees and women applicants to use their own names after marriage and to resume use of their own names after using a husband's name. A few agencies do not, however, follow this policy and in some that do officials dealing with the public are not always aware of agency policy. The Council, therefore, recommends that the Federal Government adopt a uniform policy and that this policy be communicated to all personnel officers and those who deal with the public.

The Council also recommends to State and local commissions on the status of women that they inform themselves about State laws and judicial precedents and educate the public as to the rights of women in this respect.

Admission of Women to Military Academies*

The Citizens' Advisory Council on the Status of Women, consistent generally with its position on the Equal Rights Amendment and specifically with its position on equal opportunity for women in the military services, urges that the Administration and the Congress take whatever steps are necessary to admit women to the military academies.

Sewall-Belmont House as a National Historic Site**

The Citizens' Advisory Council on the Status of Women supports designating the Sewall-Belmont house a National Historic Site as proposed in S. 3188.

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* Dr. Rita Ricardo Campbell dissents with the following statement:

"If bill H. R. 10705 is adopted, the current method of securing admissions should be reconsidered. Nominations by Congressmen otherwise might conceivably in a particular year be predominantly women, and in the final analysis I believe that sex differentials are important for certain military leadership positions."

** Dr. Rita Ricardo Campbell dissents "because no appropriation cost figure is given in the bill."

Meeting of November 8-9, 1974

Women - The Public Media

The Citizens' Advisory Council on the Status of Women recommends that more women with demonstrated commitment to constructive change be appointed to the Corporation for Public Broadcasting, the Federal Communications Commission, and the Federal Trade Commission.

The Council makes this recommendation after study and discussion of the inaccurate manner in which women are portrayed by the public media and that there is only one woman member on the governing bodies of the three organizations mentioned above and no woman in top management positions.

Private Citizens Appointed to International Meetings

The Citizens' Advisory Council on the Status of Women recommends that more private citizens be appointed to delegations to international meetings, believing that the greater knowledge gained through participation in such meetings will contribute to consensus building in foreign policy.

Flexible Hours

The Citizens' Advisory Council on the Status of Women endorses the concept of sound legislation to provide opportunities for permanent part-time employment nationwide. The Council commends the Civil Service Commission in making an intensive study of flexible hours for full time employees.

U.S. Marines

The Citizens' Advisory Council on the Status of Women recommended to the Secretary of the Navy and Marine Commandant that the slogan "The Marines Are Looking for a Few Good Men" be withdrawn. The Council further suggested that if there are other slogans or advertisements excluding women as Marines they should also be withdrawn.

☆ U.S. GOVERNMENT PRINTING OFFICE : 1975 O—583-674(94)

The Council was established by Executive Order 11126 in 1963 on the recommendation of the President's Commission on the Status of Women, whose chairman was Mrs. Eleanor Roosevelt. Miss Margaret Hickey was the first chairman, followed by Senator Maurine B. Neuberger. Mrs. Jacqueline G. Gutwillig is its third chairman. Council members are appointed by the President and serve without compensation for an indeterminate period. One of the Council's primary purposes is to suggest, to arouse public awareness and understanding, and to stimulate action with private and public institutions, organizations and individuals working for improvement of conditions of special concern to women.

The views expressed by the Council cannot be attributed to any Federal agency.